

**U.S. District Court [LIVE]  
Western District of Texas (Austin)  
CIVIL DOCKET FOR CASE #: 1:14-cv-00972-LY**

Elliott et al v. Mission Trust Services, LLC et al  
Assigned to: Judge Lee Yeakel  
Case in other court: Northern District of Illinois, Eastern Division,  
1:13-cv-7770  
Cause: Motion to Quash

Date Filed: 10/28/2014  
Date Terminated: 01/07/2015  
Jury Demand: None  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

**Plaintiff**

**Scott A. Elliott**

**Plaintiff**

**Ming-Hang Ho**

**Plaintiff**

**The Roxana H. Cupples Revocable Inter  
Vivos Trust**

V.

**Defendant**

**Mission Trust Services, LLC**

represented by **James R. Old**  
Jay Old & Associates  
3560 Delaware, Suite 308  
Beaumont, TX 77706  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Christopher C. Finlay**

represented by **James R. Old**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**The Corporation Trust Company**

**Defendant**

**Michael T. Hosmer**

V.

**Respondent**

**Mission Trust Services, LLC**

represented by **James R. Old**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Counter Plaintiff**

**Mission Trust Services, LLC**

represented by **James R. Old**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**Scott A. Elliott**

**Counter Defendant**

**Ming-Hang Ho**

**Counter Defendant**

**The Roxana H. Cupples Revocable Inter  
Vivos Trust**

**Movant**

**David Wieland**

represented by **Brandon Duane Gleason**  
Skelton & Woody  
248 Addie Roy Rd., Suite B-302  
Austin, TX 78746  
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**J. Hampton Skelton**

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Date Filed	#	Docket Text
10/28/2014	<u>1</u>	Non-Party David Wieland's MOTION for protective Order and MOTION to Quash Subpoena to Testify at a Deposition by David Wieland. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibits, # <u>3</u>

		Civil Cover Sheet)(afd) (Additional attachment(s) added on 10/29/2014: # <u>4</u> Receipt) (afd). (Entered: 10/29/2014)
10/30/2014	I <u>2</u>	ORDER REFERRING <u>1</u> Motion for Protective Order and Motion to Quash Subpoena to Testify at a Deposition, to Magistrate Judge Andrew W. Austin. Signed by Judge Lee Yeakel. (kkc) (Entered: 10/30/2014)
11/03/2014	I <u>3</u>	Response in Opposition to Motion, filed by Christopher C. Finlay, Mission Trust Services, LLC, re <u>1</u> MOTION to Quash filed by Movant David Wieland (Attachments: # <u>1</u> Proposed Order Denying Wieland's Mtn for Protective Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L)(Old, James) (Entered: 11/03/2014)
11/03/2014	I <u>4</u>	MOTION to Transfer Case by Christopher C. Finlay, Mission Trust Services, LLC. (Attachments: # <u>1</u> Proposed Order Granting Mission Parties Mtn to Transfer Case, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O). Motions referred to Judge Andrew W. Austin. (Old, James) (Entered: 11/03/2014)
11/03/2014	I <u>5</u>	CERTIFICATE OF SERVICE by Christopher C. Finlay, Mission Trust Services, LLC <u>4</u> MOTION to Transfer Case , <u>3</u> Response in Opposition to Motion, (Old, James) (Entered: 11/03/2014)
11/03/2014	I	NOTICE to All Attorneys of Record that the CASE TYPE has been changed from MC to CV, and the case number has been changed from 1:14-mc-972-LY to 1:14-cv-972-LY. Please use new case type "CV" on all future pleadings. (kkc) (Entered: 11/03/2014)
11/10/2014	I <u>6</u>	REPLY to Response to Motion, filed by David Wieland, re <u>1</u> MOTION to Quash filed by Movant David Wieland (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Skelton, J.) (Entered: 11/10/2014)
11/10/2014	I <u>7</u>	RESPONSE to Motion, filed by David Wieland, re <u>4</u> MOTION to Transfer Case filed by Mission Trust Services, LLC, Defendant Christopher C. Finlay (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Skelton, J.) (Entered: 11/10/2014)
11/11/2014	I <u>8</u>	REPLY to Response to Motion, filed by Christopher C. Finlay, Mission Trust Services, LLC, re <u>1</u> MOTION to Quash filed by Movant David Wieland, <u>4</u> MOTION to Transfer Case filed by Mission Trust Services, LLC, Defendant Christopher C. Finlay (Attachments: # <u>1</u> Exhibit A)(Old, James) (Entered: 11/11/2014)
11/13/2014	I <u>9</u>	MOTION to Appear Pro Hac Vice by James R. Old ( <i>William G. Tishkoff</i> ) ( Filing fee \$ 100 receipt number 0542-6980670) by on behalf of Christopher C. Finlay, Mission Trust Services, LLC.. Motions referred to Judge Andrew W. Austin. (Old, James) (Entered: 11/13/2014)
11/13/2014	I <u>10</u>	MOTION to Appear Pro Hac Vice by James R. Old ( <i>Sarah Wixson</i> ) ( Filing fee \$ 100 receipt number 0542-6981051) by on behalf of Christopher C. Finlay, Mission Trust Services, LLC.. Motions referred to Judge Andrew W. Austin. (Old, James) (Entered: 11/13/2014)
11/21/2014	I <u>11</u>	MOTION to Expedite ( <i>Motion for Expedited Consideration of Motion to Transfer</i> ) by Christopher C. Finlay, Mission Trust Services, LLC. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K). Motions referred to Judge Andrew W. Austin. (Old, James) (Entered: 11/21/2014)
11/24/2014	I	NOTICE to Attorney James R. Old that the CASE TYPE has changed from MC to CV, and the case number has changed from 1:14-mc-972-LY to 1:14-cv-972-LY. Please use new case type

"CV" on all future pleadings. (kkc) (Entered: 11/24/2014)

11/24/2014	<u>12</u>	*** DOCKETING ERROR – PLEASE DISREGARD – PRO HAC VICE MOTION FOR BOTH ATTORNEYS WERE FILED ON 11/13/2014 *** Letter to William G. Tishkoff, Sarah L. Wixson re: non-admitted status. Please note that attorneys will be added to the court docket only if they are admitted to practice in this Court, or by Court Order. (kkc) Modified docket text on 11/24/2014 (kkc). (Entered: 11/24/2014)
11/26/2014	<u>13</u>	RESPONSE to Motion, filed by David Wieland, re <u>11</u> MOTION to Expedite ( <i>Motion for Expedited Consideration of Motion to Transfer</i> ) filed by Mission Trust Services, LLC, Defendant Christopher C. Finlay (Attachments: # <u>1</u> Proposed Order)(Skelton, J.) (Entered: 11/26/2014)
12/02/2014	<u>14</u>	REPLY to Response to Motion, filed by Christopher C. Finlay, Mission Trust Services, LLC, re <u>11</u> MOTION to Expedite ( <i>Motion for Expedited Consideration of Motion to Transfer</i> ) filed by Mission Trust Services, LLC, Defendant Christopher C. Finlay (Attachments: # <u>1</u> Exhibit A)(Old, James) (Entered: 12/02/2014)
12/12/2014	<u>15</u>	REPORT AND RECOMMENDATIONS that the Court Grant in Part and Deny in Part Mission Parties' <u>1</u> Motion to Quash and for Protective Order and <u>4</u> Motion to Transfer Case. Signed by Judge Andrew W. Austin. (klw) (Entered: 12/15/2014)
12/12/2014	<u>1</u>	CASE NO LONGER REFERRED to Magistrate Judge Andrew W. Austin. (klw) (Entered: 12/15/2014)
01/07/2015	<u>16</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>15</u> Report and Recommendations. Signed by Judge Lee Yeakel. (dm) (Entered: 01/08/2015)
01/07/2015	<u>17</u>	FINAL JUDGMENT. Signed by Judge Lee Yeakel. (dm) (Entered: 01/08/2015)